



2. In the First Amended Case Management Order (Doc. 32), the Court set the matter for jury trial beginning on December 9, 2024. The Fifth Amended Case Management Order (Doc. 67) continued the jury trial to April 28, 2025. The Sixth Amended Case Management Order (Doc. 113) continued the jury trial to October 6, 2025.

3. The Seventh Amended Case Management Order (Doc. 115) clarified that the jury trial scheduled to begin on October 6, 2025 is scheduled to last 5-7 days and further specified the types of pre-trial documents the parties should submit by September 17, 2025.

4. Pursuant to the Fourth Amended Case Management Order (Doc. 50), discovery closed on July 25, 2024, which deadline remained unchanged by the Fifth (Doc. 67), Sixth (Doc. 113), and Seventh Amended Case Management Order (Doc. 115), respectively.

5. Plaintiffs are ready to proceed to trial on October 6, 2025.

6. Plaintiffs are not opposed to proceeding with a second mediation prior to trial but share Defendants' concerns that such second mediation is not likely to be fruitful without the Court's ruling(s) on the pending cross-motions for summary judgment (Docs. 69 and 77, respectively), Defendants' motion to exclude opinions of Jeremy Bauer (Doc. 72), Defendants' motion to exclude opinions of Chet Epperson (Doc. 74), and Plaintiffs' motion *in limine* to exclude witnesses and/or testimony (Doc. 80).

7. Should the Court require additional time to issue its rulings on the aforementioned pending motions, Plaintiffs would not object to continuing trial and proceeding to a second mediation upon receipt of those rulings.

WHEREFORE, Plaintiffs Tammy Bufford, individually and as Administrator of the Estate of Cortez D. Bufford, and Antoine Bufford, decedent's parents, respectfully request the Court enter

an order on Defendants' motion to vacate and continue trial setting with the relief the Court deems appropriate.

Respectfully submitted,

By: /s/ Paul A. Marks

Paul A. Marks, #6271319IL  
Amy L. Bailey, #6335525IL  
217 S. Main Street  
Edwardsville, IL 62025  
P | (618) 659-4499  
F | (855) 319-7816  
E | [pleadings@sivialaw.com](mailto:pleadings@sivialaw.com)  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies pursuant to Fed. R. Civ. P. 5(b)(2)(E) that on 25 August 2025, the foregoing instrument was served upon all parties to the above-titled cause by filing it with the court's electronic-filing system or to the email(s) of record below:

Rachel Hagan  
Aaron Waters  
Assistant City Counselor  
1200 Market Street  
City Hall, Room 314  
St. Louis, MO 63103  
Email: [HaganR@stlouis-mo.gov](mailto:HaganR@stlouis-mo.gov)  
Email: [WatersAa@stlouis-mo.gov](mailto:WatersAa@stlouis-mo.gov)

Stephen Nugent, #76720  
Assistant Attorney General  
207 West High Street  
Jefferson City, Missouri 65101  
(573) 751-7543  
[Stephen.Nugent@ago.mo.gov](mailto:Stephen.Nugent@ago.mo.gov)

*Attorneys for Defendants*

/s/ Tina M. Huett